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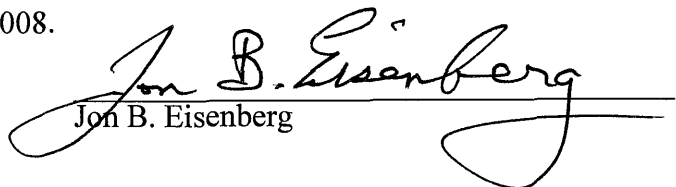
**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

<p>IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION</p> <p><u>This Document Relates Solely To:</u></p> <p><i>Al-Haramain Islamic Foundation, Inc., et al. v. Bush, et al.</i> (C07-CV-0109-VRW)</p> <p>AL-HARAMAIN ISLAMIC FOUNDATION, INC., et al.,</p>	<p>) MDL Docket No. 06-1791 VRW</p> <p>)</p> <p>) DECLARATION OF JON B. EISENBERG</p> <p>) IN SUPPORT OF MOTION PURSUANT</p> <p>) TO 50 U.S.C. § 1806(f) TO DISCOVER</p> <p>) OR OBTAIN MATERIAL RELATING</p> <p>) <u>TO ELECTRONIC SURVEILLANCE</u></p> <p>)</p> <p>) Date: Tuesday, December 2, 2008</p> <p>) Time: 10:00 a.m.</p> <p>) Court: Courtroom 6, 17th Floor</p> <p>) Honorable Vaughn R. Walker</p>
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- 1 Exhibit L Testimony of John S. Pistole, Senate Committee on Banking, Housing and Urban
2 Affairs, September 25, 2003
- 3 Exhibit M Excerpts from testimony of R. Richard Newcomb, House Financial Services
4 Subcommittee on Oversight and Investigations, June 16, 2004
- 5 Exhibit N Letter from R. Richard Newcomb to Lynne Bernabei, April 23, 2004
- 6 Exhibit O Letter from R. Richard Newcomb to Lynne Bernebei, July 23, 2004
- 7 Exhibit P Press Release, Treasury Department, September 9, 2004
- 8 Exhibit Q Supplemental Declaration of Frances R. Hourihan, May 10, 2006
- 9 Exhibit R Letter from Adam J. Szubin to Lynne Bernabei and Thomas Nelson, February 6, 2008
- 10 Exhibit S Speech by John S. Pistole to American Bankers Association/American Bar Association
11 Money Laundering Enforcement Conference, October 22, 2007
- 12 Exhibit T Excerpts from Brief for Appellants [defendants] in Ninth Circuit Court of Appeals,
13 June 6, 2007
- 14 Exhibit U Excerpts from Government's Memorandum In Support Of Pretrial Detention, *United*
15 *States v. Sedaghaty*, August 21, 2007
- 16 Exhibit V Testimony of General Michael V. Hayden, Senate Judiciary Committee, July 26, 2006
- 17 Exhibit W Excerpts from testimony of Mike McConnell, Senate Select Committee on Intelligence,
18 May 1, 2007
- 19 Exhibit X Excerpts from testimony of Mike McConnell and Kenneth Wainstein, House Select
20 Intelligence Committee, September 20, 2007
- 21 Exhibit Y Excerpts from transcript of hearing, *American Civil Liberties Union v. National*
22 *Security Agency*, June 12, 2006
- 23 Exhibit Z Excerpts from memorandum of Howard Mendelsohn to Adam J. Szubin regarding
24 redesignation of Al-Haramain Islamic Foundation, February 6, 2008
- 25 Exhibit AA Excerpts from transcript of Amerithrax Investigation Press Conference, August 6, 2008
- 26 Exhibit BB FBI statement regarding Anthrax Investigation, August 6, 2008
- 27 Exhibit CC Excerpts from Brief for the Respondents in Opposition to Petition for Writ of
28 Certiorari, *American Civil Liberties Union v. National Security Agency*, December
2007

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of September, 2008.


Jon B. Eisenberg